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United States Attorney
Southern District of New York

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The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 13, 2007

BY FACSIMILE

The Honorable Harold Baer, Jr.
United States District Judge
United States Courthouse
500 Pearl Street, Room 2230
New York, New York 10007
Fax: (212) 805-7901

RECEIVED
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U.S. DISTRICT JUDGE
S.D.N.Y.

Re: United States v. Kevin Brown
07 Cr. 485 (HB)

Dear Judge Baer:

The defendant's motion to dismiss the Misdemeanor Information in the case referenced above was filed on August 7, 2007, and following submission of opposition and reply briefing, the Court heard oral argument on the motion on October 10, 2007. While the defendant's motion is under consideration by the Court, time is automatically excluded under the Speedy Trial Act for a specified period of time. Title 18, United States Code, Section 3161(h)(1)(J). Given that the motion remains under consideration, the Government respectfully writes to request that the Court schedule an appropriate conference date in the case, and further that time be excluded from today's date until the date of that conference, under the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: Jenna M. Dabbs
Jenna M. Dabbs
Assistant United States Attorney
(212) 637-2212

cc: Reed Cross, Esq. (by facsimile)

ORDERED:
Harold Baer, Jr., U.S.D.J.
11/14/07

Endorsement:

We call "under consideration" "sub judice" and I will put it down for a conference on January 3, 2008 and exclude the time until 9:45 AM on that day.